

4/10/03 re 1055 papers
Y. P. Smith
10/8/03

PATENT

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Date of Signature and Deposit: October 3, 2003

John D. Franzini
John D. Franzini, Reg. No. 31,356

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bruce R. Kern, et al.
Ser. No.: 10/039,098
Filing Date: January 3, 2002
Title: COMBINATION ADVERTISING AND WARNING
SIGN FOR SHELIVING
Examiner: Cassandra H. Davis
Atty. Docket No.: 650005.94380

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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RESUBMISSION OF DOCUMENTS UNDER 37 C.F.R. § 1.8

Dear Sir:

Examiner Davis telephoned attorney of record Steven J. Wietrzny, most recently on September 30, 2003, to inform the applicants that the Patent Office did not have on file a response to the Office Action mailed on February 27, 2003 for the above application. On September 26, 2003 Attorney Wietrzny resubmitted by facsimile a copy of applicants' response originally submitted by certificate of facsimile on May 27, 2003 along with copies of the facsimile cover page and transmission confirmation report. Additional copies of these documents are enclosed herewith.

The undersigned hereby states that the originally submitted response was timely transmitted to the Patent Office on May 27, 2003 and requests that the resubmission of these copies be accepted as timely filed. The originally submitted response was filed by facsimile by

QBMKE\5476001.1

OFFICIAL

the undersigned to Examiner Davis at fax number 1-703-305-7687 and the transmission was confirmed successful, as evidenced by the enclosed transmission report. These statements are made based on the personal knowledge of the undersigned with his recollection refreshed by review of the enclosed documents.

No fee is believed due for consideration of this response, however, the Commissioner is hereby authorized to charge any fees deemed necessary to Deposit Account 17-0055.

Respectfully submitted,

BRUCE R. KERN, ET AL.

By: 

John D. Franzini

Reg. No. 31,356

Attorney for Applicants

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Franzini, John D.

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FAX TRANSMITTAL COVER SHEET

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Message:

Response A for U.S.S.N. 10/039,098 is attached. Please call with any questions.

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Number of Pages (including cover sheet): 11

Date & Time Faxed: Friday, October 03, 2003 3:28:06 PM

Message:

Applicants: Bruce R. Kern

Ser. No.: 10/039,098

Filing Date: January 3, 2002

Title: Combination Advertising and Warning Sign for Shelving

Examiner: Cassandra H. Davis

Atty. Docket: 650005.94380

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